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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In Re Applications of)	MM Docket No. 97-128
)	
Martin W. Hoffman, Trustee-in-Bankruptcy)	
for Astroline Communications Company)	
Limited Partnership)	
)	
For Renewal of License of)	
Station WHCT-TV, Hartford, Connecticut)	File No. BRCT-881201LG
)	
and)	
)	
Shurberg Broadcasting of Hartford)	
)	
For Construction Permit for a New)	File No. BPCT-831202KF
Television Station to Operate on)	
Channel 18, Hartford, Connecticut)	

To: The Commission

**OPPOSITION TO REQUEST
FOR EXTENSION OF TIME IN WHICH TO RESPOND TO THE
JOINT REQUEST FOR APPROVAL OF SETTLEMENT AGREEMENT**

Martin W. Hoffman, Trustee-In-Bankruptcy ("Trustee") for Astroline Communications Company Limited Partnership ("Astroline"), licensee of television station WHCT-TV, Hartford, Connecticut, by his attorneys and pursuant to Section 1.45(b) of the Commission's rules, hereby opposes the Request for Extension of Time in Which to Respond to Joint Request for Approval of Settlement Agreement ("Extension Request"), filed on April 12, 2000 by Richard P. Ramirez ("Ramirez"). In support thereof, the Trustee states as follows.

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1. The Joint Request for Approval of Settlement Agreement (“Joint Request”) will bring to a conclusion this long-standing comparative renewal challenge in a manner that all applicants find to be acceptable and in the public interest. In seeking a one-month extension to challenge the Joint Request, Ramirez provides the Commission with no explanation concerning the nature of his interest in the settlement proceeding (or lack thereof) and he does not cite any conceivable harm the settlement could visit upon him. For these reasons alone, Ramirez’s extension request should be denied. As will be explained below, Ramirez’s interest is extremely limited and it will be advanced, not injured, by Commission approval of the proposed settlement. Ramirez has not cited any possible objections to the settlement because he can offer no objections that have merit.

2. Ramirez was the general partner in control of Astroline when it operated WHCT-TV. His involvement in this proceeding arose solely from the 1998 hearing on Astroline’s legal qualifications as renewal applicant. Allegations had been made that Ramirez, a minority person, had not in fact controlled the licensee, as he and Astroline had represented to the Commission. Following an evidentiary hearing, Administrative Law Judge John M. Frysiak found that Ramirez (who testified in the hearing) had indeed controlled Astroline, and that Astroline’s successor, the Trustee, was therefore qualified for license renewal. Initial Decision, FCC 99D-1, released April 16, 1999. The settlement will moot all challenges to this Initial Decision, causing it to become final. This outcome is clearly and incontrovertibly in Ramirez’s interest, since it vindicates his legal position as stated in the hearing, and in numerous representations he and Astroline made to the Commission. Ramirez obviously should welcome having the Initial Decision become a final decision of the Commission.

3. One may ask, under these circumstances, what possible motive Ramirez could have to oppose the Joint Request or to seek an extension here. The extension request is silent in this regard, so the answer is left to conjecture. Given the extraordinary length of the extension sought (a full month), it appears to us that Ramirez is interested only in forcing harmful delays on the parties here. It is possible, unfortunately, that Ramirez believes that FCC delays would produce some tangible benefits to him. What those benefits could be is very hard for us to fathom. In any event, it is clearly contrary to the public interest to tie up an FCC proceeding for purely selfish reasons.

4. Ramirez asserts that more time is needed for him to obtain replacement counsel. But Ramirez and his counsel have not disclosed when he became aware that replacement FCC counsel would be needed. This omission is relevant because on March 10, 2000, Ramirez's then-counsel was served with a copy of the parties' Station Sale and Settlement Agreement, which gave Ramirez full notice of the terms of the proposed settlement. The fact that the Joint Request would be filed by April 5 was also disclosed to him in a separate letter filed with the Commission on March 10.

5. Ramirez's extension request leaves the impression (but, significantly, does not affirm) that counsel's withdrawal was only recently decided upon. The failure to make this explicit is troubling, because to do so would presumably have been helpful to Ramirez as well as logical - unless the implication is inaccurate and hence was intended to mislead the Commission by creating a false impression. We speculate that Ramirez has known since approximately mid-March that he would need to retain new counsel, and that he has been dilatory in finding such counsel. The extension request does not foreclose this interpretation, as one would

normally expect. The vagueness of the extension request on this point obviously should be construed against Ramirez.

6. Under all of the circumstances - Ramirez's lack of any discernable reason to challenge the proposed settlement; his failure to state any such reason; his knowledge since mid-March concerning the terms of the Settlement Agreement; and the failure of the extension request to provide any specifics as to when he knew his counsel was withdrawing - we believe it should be concluded that Ramirez has not shown good cause for the Commission to delay this proceeding. Accordingly, we submit that the extension request should be denied and this proceeding should move forward as rapidly as possible. Counsel for Shurberg Broadcasting of Hartford and for Two If By Sea Broadcasting Corporation have authorized the undersigned to state that they join in this Opposition.

Respectfully submitted,

MARTIN W. HOFFMAN, TRUSTEE-IN-
BANKRUPTCY OF ASTROLINE
COMMUNICATIONS COMPANY
LIMITED PARTNERSHIP

By: 

Peter D. O'Connell
Kathleen A. Kirby

Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006

(202) 719-3350

April 18, 2000

CERTIFICATE OF SERVICE

I, Kathleen A. Kirby, hereby certify that I have, on this 18th day of April, served a copy of the foregoing "Opposition to Request for Extension of Time in Which to Respond to Joint Request for Approval of Settlement Agreement," upon the following parties by first-class mail, postage prepaid:

Richard P. Ramirez, President/CEO
Traffic.com
Chesterbrook Corporate Center
640 Lee Road, Suite 300
Wayne, Pennsylvania 19087

John Riffer, Esq. *
Office of the General Counsel
Federal Communications Commission
445 12th Street, SW
Room 8-A660
Washington, D.C. 20554

Kathryn R. Schmeltzer
Shaw Pittman
2001 Pennsylvania Avenue
Suite 400
Washington, D.C. 20006-1851

James Shook, Esq. *
Office of the General Counsel
Federal Communications Commission
445 12th Street, SW
Room 3-A660
Washington, D.C. 20554

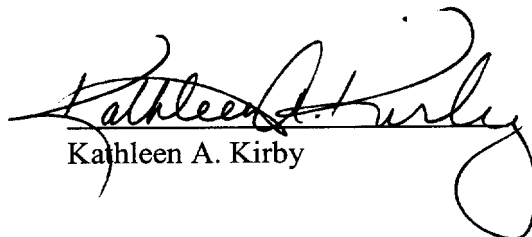
Thomas J. Hutton, Esq.
Holland & Knight LLP
Suite 400
2100 Pennsylvania Avenue, NW
Washington, D.C. 20037

Barbara Kreisman *
Chief, Video Services Division
Federal Communications Commission
The Portals
445 12th Street, SW
Room 6-C767
Washington, DC 20554

Jonathan Shurberg, Esq.
8720 Georgia Avenue, Suite 700
Silver Spring, Maryland 20910

Barry A. Friedman, Esq.
Thompson, Hine & Flory
1920 N Street, N.W., Suite 800
Washington, D.C. 20036

* By Hand Delivery


Kathleen A. Kirby